



***REVISED – May 19, 2020**

**STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/**

**AGENDA FOR BOARD MEETING
The meeting will be held on
Wednesday, May 20, 2020 – 10:00 a.m.**

**Listen Via Teleconference: (301) 715 8592 - Webinar ID: 951 2883 1353
Watch Online: <https://www.youtube.com/watch?v=LDZ4vftMvDU>**

Executive Session

(Open Session will not reconvene until the conclusion of the Executive Session, which will commence at 10:00 a.m. The only business to be conducted in the 10:00 a.m. Open Session will be the reading of the public notice statement, roll call, and the exception, under the Open Public Meetings Act, for each item to be considered in Executive Session.)

NO ITEMS FOR CONSIDERATION



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CONSENT AGENDA FOR BOARD MEETING

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I. **AUDITS**

A. **Energy Agent, Private Aggregator and/or Energy Consultants Initial Registrations**

EE20040295L GE20040296L	Royal Energy, Inc.	I – EA/PA
EE20020148L GE20020149L	AEP Energy, Inc.	I – EA/PA/EC
EE20020180L GE20020181L	Harris Energy Solutions, LLC	I – EA/EC

These matters relate to the above applicants being issued renewal registrations as an energy agent, private aggregator and/or energy agent consultant for one year.

Energy Agent Renewal Registrations

EE20020092L	Aegean Energy Advisors, LLC	R – EA
EE20030200L	Save On Energy, LLC	R – EA
EE20010074L	The Energy Link, LLC	R – EA

These matters relate to the above applicants being issued renewal registrations as an energy agent for one year.

II. ENERGY

NO ITEMS FOR CONSIDERATION

III. CABLE TELEVISION

- A. [Docket No. CE19050672 – In the Matter of the Petition of Comcast of Burlington County, LLC for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the City of Burlington, County of Burlington, State of New Jersey.](#)

Comcast of Burlington County is seeking Board approval for Renewal of its Certificate of Approval to provide cable television service to the City of Burlington for a ten year term, and contains a grant of \$7,500 for the City.

IV. TELECOMMUNICATIONS

- A. [Docket No. TF20030257 – In the Matter of the Verified Petition of PEG Bandwidth NJ, LLC for Approval to Participate in Certain Financing Arrangements.](#)

PEG Bandwidth NJ, LLC seeks Board approval to participate in a financing arrangement with its parent company (Uniti Group, Inc.), and pledge its assets as security for same. The financing arrangement developed by Uniti Group is for the purpose of repaying existing debt and for other purposes including acquisitions and working capital.

- B. [Docket No. TM20040286 – In the Matter of the Verified Joint Petition of Internap Connectivity, LLC debtor-in possession, and Internap Corporation, debtor-in-possession, for Approval of a Transaction that will Result in a Material Change to the Indirect Ownership and Ultimate Control of Internap Connectivity, LLC.](#)

Internap Connectivity LLC, an authorized CLEC operating in New Jersey and its direct Parent Company Internap Corporation petitioned the Board for the approval of a reorganization that will result in an indirect change in control of Internap Connectivity LLC. Petitioners state that the petition arises from a bankruptcy petition filed with the United States Bankruptcy court for the Southern District of New York. Petitioners also seek the approval of a related financing arrangement to be implemented upon Petitioners' emergence from bankruptcy.

V. WATER

NO ITEMS FOR CONSIDERATION

VI. RELIABILITY AND SECURITY

NO ITEMS FOR CONSIDERATION

VII. CUSTOMER ASSISTANCE

NO ITEMS FOR CONSIDERATION

VIII. CLEAN ENERGY

NO ITEMS FOR CONSIDERATION

IX. MISCELLANEOUS

- A. Approval of Minutes for the April 6, 2020 Agenda Meeting; and
Approval of Minutes for the April 27, 2020 Special Board Meeting.



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1. **AUDITS**

- A. [Docket No. EO20040302 – In the Matter of the Alleged Failure of HomeAde, LLC d/b/a Zentility to Comply with Certain Provisions of N.J.S.A. 48:3-78 et seq., and the New Jersey Administrative Code, N.J.A.C. 14:4-1.1 et seq.](#)

Energy Agent, Private Aggregator, and/or Energy Consultant Initial Registrations

EE19070832L	HomeAde, LLC	
GE19070833L	d/b/a Zentility	EA/PA/EC

This matter involves potential violations under the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq. and more specifically, N.J.S.A. 48:3-78 (“EDECA”, or the “Act”), and N.J.A.C. 14:4-1.1 et seq. (the “Regulations”) by HomeAde, LLC d/b/a Zentility (“HomeAde” or “the Company”), who had been operating as an energy agent, energy consultant and private aggregator to arrange energy procurement for customers in New Jersey after the Company’s registration expired. As a result of correspondence and telephone conversations, HomeAde has submitted an Offer of Settlement (“Offer”), regarding its alleged violations.

1. **AUDITS (CONT'D)**

- B.** [Docket No. EO20040322 – In the Matter of the Alleged Failure of Make the Switch USA, LLC to Comply with Certain Provisions of N.J.S.A. 48:3-78 et seq., and the New Jersey Administrative Code, N.J.A.C. 14:4-1.1 et seq.](#)

Energy Agent, Private Aggregator, and/or Energy Consultant Initial Registrations

EE17121256L	Make the Switch USA, LLC	EA/EC
GE17121257L		

This matter involves potential violations under the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq. and more specifically, N.J.S.A. 48:3-78 (“EDECA”, or the “Act”), and N.J.A.C. 14:4-1.1 et seq. (the “Regulations”) by Make the Switch USA, LLC (“the Company”), who had been operating as an energy agent, energy consultant and private aggregator to arrange energy procurement for customers in New Jersey after the Company’s registration expired. As a result of correspondence and telephone conversations, Make the Switch USA, LLC has submitted an Offer of Settlement regarding its alleged violations.

2. **ENERGY**

- A.** [Docket No. ER19101429 – In the Matter of the Verified Petition of Atlantic City Electric Company Concerning the Setting of the Administrative Fee and the Regional Greenhouse Gas Initiative Recovery Charge \(“Rider RGGI”\) for 2020 Associated with its Solar Renewable Energy Certificate \(SREC II\) Program.](#)

The Board will consider Atlantic City Electric Company’s Solar Renewable Energy Certificate II rates. The parties have executed a stipulation, which if approved by the Board, will result in no changes to customer bills.

- B.** [Docket No. ER20010105 – In the Matter of the Application of the Borough of Butler for an Order Approving a Levelized Energy Adjustment Clause \(L.E.A.C.\) for April 1, 2020 to June 30, 2020.](#)

The Board will consider Butler Electric Company’s Levelized Energy Adjustment Clause rates. The parties have executed a stipulation, which if approved by the Board, will result in a decrease of \$24.57 for the typical residential customer using 1,000 kWh monthly.

- C.** [Docket No. ER20010089 – In the Matter of the Verified Petition of Jersey Central Power and Light Company Constituting its Annual Filing With Respect to the Storm Recovery Charge Rider of its Filed Tariff \(“Final 2019 SRC Filing”\).](#)

The Board will consider the final Storm Recovery Charge true up filing made by Jersey Central Power and Light Company. The parties have executed a stipulation, which if approved by the Board, will result in no changes to customer bills.

2. ENERGY (CONT'D)

- D. [Docket No. EW19121537 – In the Matter of the Petition of Good Energy, L.P.: Request for Waiver Related to Government Energy Aggregation Submittals for the Township of Gloucester.](#)

The Board will consider a filing made by Good Energy, L.P. requesting a waiver of certain regulation related to the Government Energy Aggregation Program in the Township of Gloucester.

- E. [Docket No. EW19121538 – In the Matter of the Petition of Good Energy, L.P.: Request for Waiver Related to Government Energy Aggregation Submittals for the Borough of Somerdale.](#)

The Board will consider a filing made by Good Energy, L.P. requesting a waiver of certain regulation related to the Government Energy Aggregation Program in the Borough of Somerdale.

- F. Non Docketed Matter – In the Matter of Management Consulting: Oversight of the Board of Public Utilities Basic Generation Service Auction Process.

The Board will consider a contract extension for the Management Consulting Contract related to the oversight of the Basic Generation Service Auction Process.

- G. Docket No. ER20010003 – In the Matter of Federal Energy Items for 2020 – FERC Docket Nos. ER09-1256 and ER12-2708 Potomac-Appalachian Transmission Highline (PATH).

The Board will consider ratification of initial brief, filed on May 1, regarding the return on equity for the abandoned PATH project.

- H. Docket No. ER20010003 – In the Matter of Federal Energy Items for 2020 – FERC Docket No. AD20-14 Carbon Pricing in FERC-Jurisdictional Organized Regional Wholesale Electric Energy Markets.

The Board will consider comments regarding the scheduling of a Carbon Pricing Technical Conference at FERC with stakeholders and interested parties.

- I. Docket No. ER20010003 – In the Matter of Federal Energy Items for 2020 – FERC Docket No. EL20-42 New England Ratepayers Association re: Petition for Declaratory Order.

The Board will consider ratification of the Intervention and Comments filed by Staff on April 30 in support of a request for an extension of the deadlines in this proceeding.

2. ENERGY (CONT'D)

- J. Docket No. ER20010003 – In the Matter of Federal Energy Items for 2020 – FERC Docket No. EL16-49 Calpine Corporation, et al. v. PJM Interconnection, LLC; and

Docket No. ER20010003 – In the Matter of Federal Energy Items for 2020 – FERC Docket Nos. ER18-1314 and EL18-178 PJM Interconnection, LLC re: 206 Proceeding to Determine Just and Reasonable Replacement Rate.

The Board will consider ratification of the comments filed at FERC regarding PJM's compliance filing on implementation of an expanded minimum offer price rule.

3. CABLE TELEVISION

NO ITEMS FOR CONSIDERATION

4. TELECOMMUNICATIONS

- A. [Docket No. TW20040310 – In the Matter of Request For Waiver of Call Center Rule N.J.A.C. 14:3-5.2\(A\)\(1\) by AT&T Corp During Covid-19 Public Health Emergency.](#)

Due to the COVID-19 Public Health Emergency, AT&T shortened the hours of availability for its customer service call center, and seeks a waiver of the Board's rules requiring the provision of a 24-hr customer service toll free number.

- B. [Docket No. TW20050342 – In the Matter of Petition of Verizon New Jersey Inc. for Waiver of N.J.A.C. § 14:3-5.2 for the Period of the COVID-19 Public Health Emergency.](#)

Due to the COVID-19 Public Health Emergency, Verizon shortened the hours of availability for its customer service call center, and seeks a waiver of the Board's rules requiring the provision of a 24-hr customer service toll free number.

- C. [Docket No. TO20040314 – In the Matter of Implementation of Executive Order 126 Prohibiting Cable and Telecommunications Providers from Terminating Internet and Voice Service.](#)

On April 13, 2020, Governor Murphy issued Executive Order 126, which prohibited the disconnection of residential internet and voice services by all cable and telecommunications providers during the COVID-19 pandemic. This matter involves the implementation of certain directives contained in EO 126 regarding policies to be established by the BPU.

5. WATER

- A. [Docket WE20020117 – In the Matter of the Petition of New Jersey-American Water Company, Inc. for Approval of a Municipal Consent Granted by the Township of Long Hill, County of Morris.](#)

The New Jersey Board of Public Utilities will consider the approval of the municipal consent of the Township of Long Hill, Morris County (“Township”) to New Jersey-American Water Company, Inc. (“NJAWC”) to provide wastewater service to the customers in the Township (“Proposed Franchise Area”); and (2) the expansion of NJWAC’s service territory to include customers in the Proposed Franchise Area.

6. RELIABILITY AND SECURITY

NO ITEMS FOR CONSIDERATION

7. CUSTOMER ASSISTANCE

- A. [Docket Nos. BPU EC19090999U and OAL PUC 15018-19 – In the Matter of Callaremi Cadillac Buick GMC, Petitioner v Jersey Central Power and Light Company, Respondent – Billing Dispute.](#)

This petition involves a billing dispute between Callaremi Cadillac Buick GMC (Callaremi) and Jersey Central Power and Light Company (JCP&L). Callaremi alleges they were improperly billed by JCP&L.

8. CLEAN ENERGY

- A. [Docket No. QO18121289 – In the Matter of the Board of Public Utilities Offshore Wind Solicitation for 1,100 MW – Evaluation of the Offshore Wind Applications.](#)

In accordance with the Board rules, the Board will consider Ocean Wind’s proposed change in key personnel for its offshore wind project originally approved by the Board on June 21, 2019.

- B. [Docket No. QW20030240 – In the Matter of the Request for a Waiver of SREC Registration Rules at N.J.A.C. 14:8-2.4 \(i\) – Vision Solar, LLC – Technology Services.](#)

Vision Solar, LLC on behalf of Technology Services, Moorestown, NJ seeks a second extension to the project construction completion deadline for its Solar Renewable Energy Credit (“SREC”) Registration Program (“SRP”) registration. Since the first extension expired before this petition was submitted, the Board will also consider whether to re-activate the expired SRP registration.

8. CLEAN ENERGY (CONT'D)

- C. [Docket No. QW20030236 – In the Matter of a Request for a Waiver of SREC Registration Rules at N.J.A.C. 14:8-2.4\(h\)5, \(i\), and \(k\) – John C. Shepherd, Jr.](#)

John C. Shepherd, Jr. seeks a waiver of various provisions of the Renewable Portfolio Standards rules including the post-construction certification requirement in the Solar Renewable Energy Certificate (“SREC”) Registration Program (“SRP”). He is requesting these waivers for the first of two solar systems located at his residence.

- D. Docket No. QX20010047 – In the Matter of the Verified Petition of Dakota Power Partners, LLC for a Rulemaking Proceeding to Establish Utility-Scale Solar Resources to Qualify for Class I Renewable Energy Credits.

Dakota Power Partners, LLC filed a petition for rulemaking on January 15, 2020. The Board will consider whether or not to initiate a rulemaking regarding the eligibility of utility-scale and out-of-state solar to serve as the basis for Class I Renewable Energy Certificates.

9. MISCELLANEOUS

- A. [Docket No. GO19070846 – In the Matter of the Exploration of Gas Capacity and Related Issues.](#)

This Order requests Board approval of an RFQ to solicit a consultant to independently examine the adequacy of New Jersey's natural gas capacity.

- B. [Docket No. EO18080899 – In the Matter of the Implementation of L. 2018, c. 16 Regarding the Establishment of a Zero Emission Certificate Program for Eligible Nuclear Power Plants; and](#)

[Docket No. EO18121338 – Application for Zero Emission Certificates of Salem 1 Nuclear Power Plant; and](#)

[Docket No. EO18121339 – Application for Zero Emission Certificates of Salem 2 Nuclear Power Plant; and](#)

[Docket No. EO18121337 – Application for Zero Emission Certificates of Hope Creek Nuclear Power Plant.](#)

This Order finalizes the ZEC program requirements. It defines actions and procedures for ZEC recipients and applicants, as well as, annual analysis parameters.

***LATE STARTER A**

MISCELLANEOUS

[Docket No. EO20030254 – In the Matter of the New Jersey Board of Public Utilities' Response to the COVID-19 Pandemic for a Temporary Waiver of Requirements for Certain Non-Essential Obligations.](#)

The Board provides additional guidance on its prior order regarding the Covid emergency in light of recent changes in social distancing protocols.